



# GENERAL ASSEMBLY

## COMMONWEALTH OF KENTUCKY

### 2006 REGULAR SESSION

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HOUSE BILL NO. 159

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WEDNESDAY, FEBRUARY 22, 2006

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The following bill was reported to the Senate from the House and ordered to be printed.

RECEIVED AND FILED  
DATE March 24, 2006  
4:50 pm

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TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY R. Satter

AN ACT relating to foster parents.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

SECTION 1. A NEW SECTION OF KRS CHAPTER 620 IS CREATED TO  
READ AS FOLLOWS:

(1) Persons who provide foster care services to children who have been committed to the custody of the state shall be considered a primary partner and member of a professional team caring for foster children. Foster parents who contract directly with the cabinet shall have the following rights:

(a) To be treated with respect, consideration, and dignity;

(b) To fully understand the role of the cabinet and the role of other members of the child's professional team;

(c) To receive information and training about foster parents' rights, responsibilities, and access to local and statewide support groups, including but not limited to the Kentucky Foster/Adoptive Care Association, the Kentucky Foster and Adoptive Parent Network, and Adoption Support of Kentucky;

(d) To receive information and training to improve skills in the daily care and in meeting the special needs of foster children;

(e) To receive timely and adequate financial reimbursement for knowledgeable and quality care of a child in foster care within budgetary limitations;

(f) To maintain the foster family's own routines and values while respecting the rights and confidentiality of each foster child placed in their home;

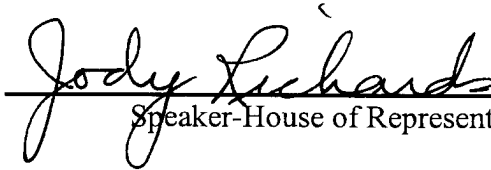
(g) To receive a period of respite from providing foster care, pursuant to cabinet policies;

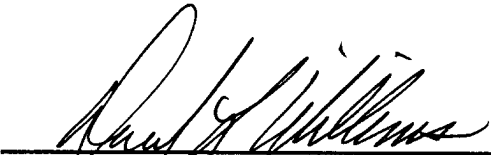
(h) To receive, upon an open records request, a copy of all information contained in the cabinet's records about the family's foster home and the foster care services provided by the family consistent with KRS 605.160;

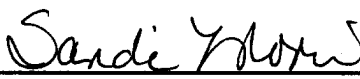
- 1 (i) To access cabinet support and assistance as necessary twenty-four (24)  
2 hours per day, seven (7) days per week;
- 3 (j) To receive, prior to a child being placed in the foster home pursuant to KRS  
4 605.090, information relating to the child's behavior, family background, or  
5 health history that may jeopardize the health or safety of any member of the  
6 foster family's household, including other foster children, and similar  
7 information that may affect the manner in which foster care services are  
8 provided, consistent with KRS 605.160. In an emergency situation, the  
9 cabinet shall provide information as soon as it is available;
- 10 (k) To refuse placement of a child within the foster home and to request, with  
11 reasonable notice to the cabinet, the removal of a child from the foster  
12 home without fear of reprisal;
- 13 (l) To communicate, with an appropriate release of information consistent with  
14 KRS 605.160, with other professionals who work directly with the foster  
15 child, including but not limited to teachers, therapists, and health care  
16 practitioners and to notify the cabinet within twenty-four (24) hours of the  
17 communication;
- 18 (m) To assist the cabinet in the development of the child's plan of care;
- 19 (n) To receive an explanatory notice from the cabinet, consistent with KRS  
20 620.130 and when it is in the best interest of the child, when a foster child's  
21 case plan has changed and, except in an immediate response to a child  
22 protective services investigation involving the foster home, an explanatory  
23 notice of termination or change in placement affecting the foster home  
24 within fourteen (14) days of the change or termination in placement;
- 25 (o) To have priority consideration for placement if a child who has previously  
26 been placed in the foster home reenters foster care, consistent with KRS  
27 605.130 and 620.130 and to the extent it is in the best interest of the child;


- 1       (p) To have priority consideration for adoption if a foster child who has been  
 2       placed in the foster home for a period of at least twelve (12) consecutive  
 3       months becomes eligible for adoption consistent with KRS 605.130 and  
 4       620.130 and to the extent it is in the best interest of the child; and
- 5       (q) To maintain contact with the foster child after the child leaves the foster  
 6       home, unless the child, a biological parent, the cabinet when the cabinet  
 7       retains custody of the child, or other foster or adoptive parent refuses such  
 8       contact.
- 9       (2) The responsibilities of foster parents that contract directly with the cabinet shall  
 10       include, but not be limited to the following:
- 11       (a) To maintain an orderly and clean home;  
 12       (b) To ensure that child has adequate resources for personal hygiene and  
 13       clothing;  
 14       (c) To provide recreational and spiritual opportunities for the child, in  
 15       accordance with cabinet policies;  
 16       (d) To attend all school and case planning meetings involving a foster child  
 17       placed in their home whenever possible subject to KRS 620.130 and the  
 18       confidentiality requirements of 42 U.S.C. sec. 671;  
 19       (e) To abide by cabinet policies relating to discipline of a foster child; and  
 20       (f) To support the involvement of a foster child's biological family whenever  
 21       possible and in accordance with cabinet policies.
- 22       (3) The cabinet shall provide specific training on investigations of alleged child  
 23       abuse or neglect in a foster home to a person appointed by the Kentucky  
 24       Foster/Adoptive Care Association. The training shall include the rights of a foster  
 25       parent during an investigation. Training shall be consistent with 42 U.S.C. sec.  
 26       5106(a).
- 27       (4) Nothing in this section shall be construed to establish monetary liability of or

1 *cause of action against the cabinet.*

  
Speaker-House of Representatives

  
President of the Senate

Attest:   
~~Asst.~~ Chief Clerk of House of Representatives

Approved   
Governor

Date 